various Acts passed by the British Parliament. I would therefore submit that clause 4 may be retained as it now stands, and that it may be accepted by this House."

The amendment of Dr. V. K. John was put and lost.

The two amendments of Mr. K. T. M. Ahmed Ibrahim were put and lost.

Clause 4 was put and carried.

Clause 1.

* DR. V. K. JOHN :—" I only said that there may be a clause as in every Bill, as to when it will come into force. The Hon. the Minister said that the General Clauses Act will apply. Therefore I withdraw my amendment."

Clause 1 was put and carried.

The preamble was put and carried.

* THE HON. MR. DANIEL THOMAS :—" I beg to move that the Bill be passed into law."

The motion was put and carried.

IV.—MOTION FOR SUSPENSION OF RULE 17 OF THE MADRAS LEGISLATIVE COUNCIL RULES.

THE HON. SRI T. PRAKASAM :—" I move the motion standing in the name of the Hon. Sri Veeraswami.

" I move—

' *that rule* 17 *of the Madras Legislative Council Rules be suspended and the House do resolve to transact Government business on Wednesday, the* 11*th September* 1946.' "

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" I would like to point out that Ministers who are not members of this House cannot take part. Yesterday, a ruling was given with regard to making motions by Ministers who are not Ministers of the House."

* MR. PRESIDENT :—" No, not in such a restricted form. The question was whether Ministers, who were not members of this House, can do anything other than merely speak. The ruling was that except voting they can do everything else in this House."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" Mr. President, Sir, I rise to oppose the motion moved by the Hon. the Premier. I feel, Sir, that rule 17 gives a privilege to the non-official members to move resolutions and Bills. It is only once a week that this privilege is given to non-official members. On all other days, the Government have got the right to transact their own business. If even that privilege is taken away from the non-

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official members of this House, there seems to be no purpose in the non-official members coming and sitting here except for endorsing what the Hon. Ministers or what the members of the Ministerial party say or do. While opposing the motion, I should like to make one suggestion which does not seem to be contrary to the motion moved by the Hon. Premier. The motion is that 'Rule 17 of the Madras Legislative Council Rules be suspended and the House do resolve to transact Government business on Wednesday, the 11th September 1946.' I do appreciate the pressure of work that the Government have got. I am certain that the Hon. the Prime Minister who is a gentleman saturated with ideas and principles of democracy will not be inclined to restrict or deprive non-official members of this privilege. I do appreciate the difficulty in which he and his colleagues are placed. I submit that, while allowing the Prime Minister and his colleagues to transact official business, the House may permit non-official members also to move Bills or resolutions, so that they may not be deprived of the privilege which they have only once a week. The suspension does not appear to me to be the suspension of the non-official business. The proviso to rule 17 says 'Provided that on a motion made by a member of Government for the suspension of this rule, the Council may resolve to transact Government business on Wednesdays other than Wednesdays during the period of the discussion of the budget.' My interpretation of the proviso is that, though the Council may resolve to transact Government business, non-official business may also be transacted on a Wednesday which is allotted for non-official business. I do not see any inconsistency at all. Therefore I request the Hon. Premier to allow non-official business also along with the official business that he wants to take up tomorrow. As I have already stated, this privilege is very much restricted. In the budget session, non-official members are not allowed to move resolutions or Bills. So, during the budget session, they are altogether deprived of the privilege. At best, in one session, there may be only one Wednesday. We do not know whether another Wednesday is going to be allotted for non-official business at all. If not, tomorrow is the only day on which non-official business can be transacted. Therefore I submit that the Hon. the Premier may be pleased to allow non-official members to move their resolutions and Bills, and at the same time Government business also can be transacted."

* Sri R. SURYANARAYANA RAO :—"Mr. President, Sir, I am so sorry that so soon in the life of this Council a motion of this kind should have been brought by the Prime Minister. As my hon. Friend, Mr. Farookhi said, Wednesday is a privileged day for the non-official members of this House. Suppose this Council had met on a Thursday and concluded on Saturday, then there would not be a non-official day. During the budget session we cannot claim this privilege. What is it that makes the Government come forward with such a motion? Are they not prolonging the Assembly day after day when there is Government business? Why not tomorrow be allotted for non-official business and this

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Council prolonged as long as the Government need for transacting their business? Why should they deprive the non-official members of this privilege when there is non-official business before this House, as you are aware? Some members have got Bills for introduction. Though it may be a formal thing, Bills have to be introduced in this House. Otherwise they cannot be published in the Gazette. Then there are resolutions about which there may not be much difference of opinion between the non-official members and the Government. Why should they not be allowed to take advantage of this Wednesday to transact non-official business? I am afraid the Government perhaps do not want certain topics to be brought before the House just now. I feel very sore on this point, because I am one of those who have taken a lot of trouble to prepare the matter for the resolution, and now all of a sudden the Government flings this motion on this House. I am glad that the Hon. Minister did not mean to move the motion tomorrow itself just at the commencement of the meeting. If he had done so and if the House had passed the motion, certainly we would not have been able to do anything.

5-15 p.m. "I am grateful to you, Sir, for this concession shown to non-official members of this House. I do not understand why the Government should try to take hold of a day which they have intended for non-officials. There are any number of days except Wednesdays and why should they deprive us of this privilege. One is tempted to express very strongly when one feels that the much-valued priviledge of non-official members of this House is sought to be deprived of, because the Government have a majority in this House. They are taking undue advantage of the majority behind them in depriving this House of a privilege which is much valued by non-official members of this House. Why should they? If any non-official Bill is moved, they have got a thumping majority to defeat it. Let them face the situation instead of by-passing the non-officials as it were.

"Above all, Sir, I feel sore that the Hon. the Premier who values so much the privilege of democratic institutions should have come forward with a motion to deprive this institution of the only privilege that it possesses. It should not have come from a Government of which he is the Prime Minister. If it had come from an official Government or a Government by Executive Councillors, I could understand. That happens often in the Central Assembly and in certain other places. But such a thing to come before a House like this and that too a motion of this kind by the head of a popular Government, to deprive people's representatives—whether they are nominated or elected, still they represent the people—of the only opportunity of moving their Bills and resolutions—to deprive this House of such a valued privilege, Sir, I cannot understand. I do not think, Sir, that the Hon. the Premier will press his motion. All those who do not belong to his party are not in favour of his motion. Simply because he has got a majority behind him, let him not override the wishes of a very

respectable minority. Often, Sir, a majority is bad. But this time, it is going to be too bad by depriving even this House of a valued privilege."

* MR. THEOBALD :—" Mr. President, I should like to support Hon. the Prime Minister's request and I should like to add that the previous speaker has ruined his own case by saying that a popular Government is now ruling with a thumping majority. It got that thumping majority because it is a popular Government. It is now trying to put on the statute book certain very important measures which require to be put on the statute book quickly. I feel, as a non-official member, that we should be prepared, during the first few months to help the Government in every way possible. As regards what my hon. Friend Mr. Farookhi has said, I think he has forgotten that there are only sixty minutes in an hour and there is only half-a-day in which the whole business of Government can be disposed of. If the non-officials wish to use there own day, when there is so much Government business, the Government will have no chance at all to finish their business. So, I appeal to the non-officials, 'I speak knowing what privilege means and how preciously it is valued in my own country.' I appeal to them nevertheless that when the occasion demands they should be willing to give up their rights."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" Mr. President, I join with other hon. Members in opposing this motion of the Hon. the Premier. We have not got any non-official day ever since this House began and now non-official Bills and resolutions are pending before the House for a long time, though they have been given notice of before many of these items of Government business were thought of. We do not know when we will have the great privilege of having another Wednesday during the course of these meetings. My hon. Friend, the European Member said that there are very urgent Government Bills before the House and they cannot afford to wait. But so far as we are concerned, Sir, we have only one day and that is Wednesday. Nothing will be lost by transacting the non-official business tomorrow. The Assembly is going on and even if we pass these Bills tomorrow, there may be Bills that would be passed by the Assembly tomorrow and we shall have to meet again for some more time, when those Bills are placed before this House. Therefore we would not be losing any time at all, and there would be no disadvantage or loss at all in transacting non-official business tomorrow. One doy alone, we want. Then we may sit on Saturday or next Monday for these Government Bills. The non-official Bills and resolutions which are pending before this House are very important ones affecting the welfare of the people. I know some of them. Therefore I would appeal to the Hon. the Premier not to press his motion and allow us to move tomorrow the Bills and resolutions which have been given notice of by members on this side of the House, tomorrow. After all, it is true that the Government has got a thumping majority and as

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has been said by one jurist 'the minorities are almost in a position of a vanquished enemy.' We know our position. We know that ours will be a cry in the wilderness. Still we appeal to the Hon. the Prime Minister to give a chance and an opportunity to represent our views. What would be the fate of those resolutions and Bills we do know. But still we want an opportunity to give expression to our views and we once again request the Hon. the Premier not to press his motion."

* DR. V. K. JOHN :—" Mr. President, Sir, I should have liked the Government to give us the reason why tomorrow the Government business should be transacted. There is a principle involved in rule 17 and Wednesday should not be taken away without assigning any reasons whatever. That there is a majority behind the Government and that they could pass any motion without giving reasons, is not fair to the House. The Government ought to state the reasons why tomorrow is required by the Government for official business. If tomorrow is taken away by the Government, all non-official resolutions and Bills will have to stand over for another time. It is not said that even next Wednesday will be guaranteed to non-official members of the House. But my main objection is that this House should not be treated in the manner in which it has been treated by the Hon. the Prime Minister who has moved a motion suspending the rules without assigning any reasons. He could say some reason why tomorrow should be assigned to Government work and I expect the Hon. the Premier to do so now."

* MRS. MONA HENSMAN :—" Mr. President, Sir, I will not take more than two minutes. I do think that I should associate myself with the hon. Members of this House, who with all due respect to the Hon. the Premier want that their non-official Bills to be included in the agenda for tomorrow. It is fair to expect a certain amount of non-official business to be transacted during each session. I appeal to you Mr. President to uphold the rights of minorities and to safeguard the privileges of this House. You are in the chair of fairness and justice, and it is only two or three hours or perhaps five hours at the most in the whole session that are going to be claimed by those members who have brought forward public questions worthy of the notice of the House tomorrow. I do submit, Sir, that all the Government Bills that pass through the Madras Legislative Council and the Madras Legislative Assembly are not the only weapons and arms of the Government. These non-official Bills represent those sides of thought and those particular points of view that cannot be enacted in Bills introduced by the Government. And though I am a loyal supporter of the Bills brought in by the Government of this Province, I do trust that we will also be able to help the Government by the other work we are doing. I would therefore request you, Sir, to allow my plea to uphold and defend the privileges of this House and see that tomorrow is made a nn-fficial day."

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* MR. PRESIDENT :—" I am sorry, I have no right of speech. (Laughter)."

THE HON. SRI T. PRAKASAM :—" Mr. President, Sir, I did not expect that the hon. Members of this House will grudge the request made by the Government for suspending the non-official business and allowing the Government business to get along. Hon. Members are aware of the critical period through which the country is passing and the circumstances under which these special enabling powers have to be taken to carry on the business. The business is not of an ordinary type. Every one of the items for which short legislation is brought before this House is a very important business. We are not sitting quietly to transact our business in peace as it were. For that one reason, I expect hon. Members of the House not to raise any objection to this motion.

" Perhaps hon. Members of the House are aware of the conditions under which each Bill is sought to be introduced in this House. Rule 17 of the Rules for the Madras Legislative Council runs as follows :—

'On Wednesdays, except Wednesdays during the period of discussion of the budget, non-official business shall have precedence. On all other days, no business other than Government business shall be transacted except with the consent of the Leader of the House given on behalf of Government :

Provided that on a motion made by a member of Government for the suspension of this rule, the Council may resolve to transact Government business on Wednesdays other than Wednesdays during the period of the discussion of the budget.'

" Although hon. Members of the House are entitled to claim a non-official day for carrying on non-official business, the proviso to the rule clearly points out that on urgent occasions like this, precedence must be given to Government Bills. Instead of asking me to withdraw the motion, hon. Members would allow me to request them to withdraw their opposition and to allow the rule not to become obsolete."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" Sir, my point has not been answered by the Hon. Prime Minister. I suggested that non-official business may be transacted along with official business; that some time may be allotted for the non-official business and some time for official business. We do not grudge the greater part of the day being taken up by the Government. We are simply requesting that a portion of the day may be given to us." 5–30 p.m.

THE HON. SRI T. PRAKASAM :—" That point has already been answered by the hon. Mr. Theobald. We know what we are. We know when we begin to speak on any motion, how much time we take and how it may not be possible to do business partly for the Government and partly for the non-official members. It will be a most ill-advised step to think of doing both the things in the course of the day. Therefore hon. Members may allow the Government business to-morrow."

* MR. PRESIDENT :—" I will put the motion to the vote of the House."

The motion was put and declared carried.

Poll was demanded and the House divided :—

Ayes.	*Noes.*
1 Sri K. Madhava Menon.	1 Mr. K. T. M. Ahmed Ibrahim Sahib.
2 ,, B. Bheema Rao.	2 Sri B. Narayanaswami Naidu.
3 ,, L. Subbarama Reddi.	3 Mr. Abdul Latif Farookhi Sahib.
4 ,, S. K. Satagopa Mudaliar.	4 Dr. Syed Tajuddin Sahib.
5 ,, M. Narayana Rao.	5 Sri M. D. T. Kumaraswami Mudaliyar.
6 ,, N. Sankara Reddi.	6 Mrs. M. Hensman.
7 ,, N. Venkatachalamaji.	7 ,, M. N. Clubwala.
8 ,, C. N. Muthuranga Mudaliar.	8 Mr. Hamid Sultan Maricair Sahib.
9 Dr. U. Rama Rao.	9 Sri R. Suryanarayana Rao.
10 Sri M. Narayana Menon.	10 Mr. K. O. Anthony.
11 ,, K. Natarajan.	11 Dr. V. K. John.
12 ,, T. Purushotham.	12 Sri D. Krishnamurthy.
13 ,, N. Ramabhadra Raju.	13 ,, H. M. Jagannatham.
14 ,, M. Sudarsanam.	14 ,, P. R. K. Sarma.
15 ,, C. Perumalswami Reddiar.	
16 ,, O. P. Ramaswami Reddiar.	
17 ,, S. Jayaram Reddiar.	
18 ,, R. W. Theobald.	
19 ,, C. Veerabhadra Rao.	
20 ,, N. Ranga Reddi.	
21 ,, G. Venkata Reddi.	
22 ,, A. R. L. Pathy.	

Ayes 22, Noes 14. The motion was carried.

* MR. PRESIDENT :—" Official business will be conducted to-morrow. The House will now adjourn to meet at 11 a.m. to-morrow."